

# Association of Legal Professionals (ALP)

April 19, 2011

Gina Donnelly  
Office of Employee Relations  
City of San Jose  
200 E. Santa Clara St.  
San Jose, CA 95113

Re: April 21, 2011 Negotiation Session

Dear Ms. Donnelly:

This responds to your letter dated April 18, 2011, which we received by e-mail attachment last evening at 5:59 p.m. ALP will meet with the City negotiating team this coming Thursday, April 21, 2011; however, ALP is not prepared to engage in mediation this Thursday for the reasons that follow.

Prior to receiving any response to its April 14, 2011 offer to the City Council and any final offer from the City, ALP learned for the first time this morning that the City intends to lay off 10 of the 39 members of our bargaining unit, rather than the possible four positions office-wide (not just ALP) that were identified in the Mayor's adopted Budget Message and were the basis for prior discussions. ALP has previously requested to meet and confer over layoff process and impacts, but the City failed until today to inform us whether currently vacant positions would count towards reduction in force or would mean the loss of additional positions. These are obviously very difficult issues for our bargaining unit and our office, and we need to meet with our members prior to discussing with the City negotiating team how to deal with this new situation.

Therefore, although we are able to meet with the City negotiating team on Thursday, we do not believe that we are at impasse because of the introduction of new issues and impacts today by the City. We request that the introduction of a mediator into the process be delayed for a week or two in order for (1) ALP to discuss the new developments with its membership, (2) both parties to effectively negotiate over layoff impacts and process as previously requested, and (3) ALP to be informed of the City Council's response to ALP's April 14 proposal which it has not yet received and which may also include a counter-proposal from the City. Since the City is scheduling mediation with other bargaining groups even into next month, this should not be an issue.

Sincerely,

*William Clark*

WILLIAM CLARK  
President  
ASSOCIATION OF LEGAL PROFESSIONALS

cc: Marco Mercado, City Negotiating Team Member  
Charles Sakai, City Negotiating Team Member  
ALP Negotiating Team

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